IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICITON

CIVIL APPLICATION NO. 368 OF 2006
IN
LETTERS PATENT APPEAL (ST.) NO. 29558 OF 2006
IN
WRIT PETITION NO. 7563 OF 2005

Kalyan Dombivli Municipal Corporation & Anr. ... Applicants

V/s.

Sunil Kisan Powar & Ors. ... Respondents

Mr. A.S. Rao for the Applicants

None for the Respondents.

CORAM: **J.N. PATEL, AND**
A.A. SAYED, JJ.
DATE: **SEPTEMEBR 10, 2007**

P.C.:-

1. Heard.

2. None appears for the respondents. No reply has been filed.

3. On going through the application for condonation of delay,

though we are not satisfied with the reason given therein for delay as good and sufficient reason, in fairness, we are inclined to condone the delay, but subject to costs of Rs.500/- each to be paid to the respondents, i.e., in all, Rs.1,500/- within four weeks. Costs to be paid by the officers from their pockets, who were responsible for the decision-making in preferring the Letters Patent Appeal, and can be held accountable for delay. We make it clear that if the costs are not paid within the stipulated period, the application would stand rejected, without any further reference to this Court.

4. Authenticated copy of the order be furnished to the learned counsel appearing for the Municipal Corporation to enable him to convey the order to the Municipal Commissioner.

J.N. PATEL, J.

A.A. SAYED, J.